

**From:** Williams, Edwina (VDSS) [<mailto:edwina.williams@dss.virginia.gov>]  
**Sent:** Tuesday, April 10, 2012 10:43 AM  
**To:** [licensinglistserv@virginiainteractive.org](mailto:licensinglistserv@virginiainteractive.org)  
**Subject:** Revisions to Adult Day Care Center Standards and Regulations  
**Importance:** High

This file is being sent to providers of adult day care centers from the Virginia Department of Social Services Email Distribution Service.

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April 10, 2012

TO: Adult Day Care Center Licensees and Applicants

FROM: Lynne A. Williams, Director  
Division of Licensing Programs

SUBJECT: Revisions to Adult Day Care Center (ADCC) Standards

*Standards and Regulations for Adult Day Care Centers* have been revised effective April 11, 2012 to conform definitions and agency names to the *Code of Virginia* and update statutory and administrative code citations and regulation titles. The revisions to the ADCC standards and regulations were published as a final regulation in the March 12, 2012 *Virginia Register of Regulations*. This action was exempt from the full procedures of the Administrative Process Act, since it was necessary to conform to Code changes and there was no agency discretion involved.

The following changes were made:

22 VAC 40-60-10. Definitions. The definition of "Adult day care center" was amended to reflect the current language of § 63.2-100 of the Code of Virginia.

22 VAC 40-60-10. Definitions. In the definition of "Advance directive", the Code of Virginia reference number was corrected to read § 54.1-2983.

22 VAC 40-60-10. Definitions. The definition of "Department's representative" was amended to reflect the current language of § 63.2 of the Code of Virginia.

22 VAC 40-60-10. Definitions. The definition of "Respite care" was amended to correct the title of Licensed Assisted Living Facilities and to update the regulation number to 22VAC40-72.

22 VAC 40-60-20. Legal base. The section was amended to reference the current Chapter (17) and Title (63.2) of the Code of Virginia that describes the responsibility of the Department of Social Services for the regulation of adult day care centers.

22 VAC 40-60-30. Board authority. The section was amended to reference the current section (63.2-1733) of the Code of Virginia which requires the State Board of Social Services to prescribe standards for certain activities, services and facilities for adult day care centers.

22 VAC 40-60-60. Facilities not covered. The title of State Board/Department of Mental Health, Mental Retardation and Substance Abuse Services was changed to reflect the current title of State Board/Department of Behavioral Health and Developmental Services.

22 VAC 40-60-130. Financial responsibilities. The Code of Virginia reference number was changed from §63.1-194.7 to the current number of §63.2-1706.

22 VAC 40-60-200. General qualifications. This section was amended to correct the title of the Regulation for Background Checks for Assisted Living Facilities and Adult Day Care Centers.

22 VAC 40-60-280. Orientation and staff training. This section was amended to reflect the current Code of Virginia number (§ 63.2-1606) that references the protection of aged or incapacitated adults and mandated and voluntary reporting of suspected abuse, neglect, or exploitation of program participants to the appropriate local department of social services.

22 VAC 40-60-320. Director. The title of Board of Nursing Home Administrators was changed to reflect the current title of Board of Long-Term Care Administrators.

The revised *Standards and Regulations for Adult Day Care Centers* may be found on the DSS public website at: <http://www.dss.virginia.gov/facility/adcc.cgi>. Replacement pages with the changes are also on the same website so that those of you who have a hard copy of the standards can update them with the latest revisions. The revisions and replacement pages will be posted to the website on the effective date of April 11, 2012.

If you have any questions, please contact your licensing inspector.

Thank you.